Atty. Dkt. No. 049146-1001

AMENDMENTS TO THE CLAIMS

Claims 1-14: Canceled.

15. (Currently Amended) A bicistronic construct comprising a single promoter controlling the expression of a sequence ~~coding sequences~~ encoding ~~polypeptides having~~ p53 or a variant thereof and a sequence encoding p14ARF or a variant thereof ~~tumor suppresser activity~~.

Claim 16: Canceled.

17. (Previously Presented) A vector comprising the bicistronic construct of claim 15, wherein said vector is selected from the group of vectors consisting of retroviral, adeno-associated viral, herpes simplex viral and cytomegaloviral vectors.

18. (Currently Amended) A delivery vehicle comprising the bicistronic construct of claim 15, wherein said delivery vehicle is selected from the group consisting of ~~liposomes~~ a liposome, polylysine carrier ~~complexes~~ complex, and naked DNA.

19. (Previously Presented) A pharmaceutical composition comprising the bicistronic construct of claim 15.

20. (Currently Amended) A pharmaceutical composition comprising the vector of ~~claim 15~~ claim 17.

21. (Currently Amended) A pharmaceutical composition comprising the delivery vehicle of ~~claim 15~~ claim 18.

22. (Previously Presented) A method of inducing killing or apoptosis of malignant or metastatic cancer cells, comprising contacting said cells with the bicistronic construct of claim 15, whereby killing or apoptosis of said malignant or metastatic cells is induced.

Claim 23: Canceled.

24. (Previously Presented) The method of claim 22, wherein said bicistronic construct is in a vector, wherein said vector is selected from the group of vectors consisting of retroviral, adeno-associated viral, herpes simplex viral and cytomegaloviral vectors.

25. (Currently Amended) The method of claim 22, wherein said bicistronic construct is in a delivery vehicle, wherein said delivery vehicle is selected from the group consisting of ~~liposomes~~ a liposome, polylysine carrier ~~complexes~~ complex, and naked DNA.

26. (Previously Presented) The method of claim 22, wherein said bicistronic construct is in a pharmaceutical composition.

27. (Previously Presented) The method of claim 22, further comprising administering said bicistronic construct in combination with one or more modes of therapy selected from the group consisting of radiation therapy and chemotherapy.

28. (Currently Amended) The method of claim 22, wherein said ~~cancer cell is~~ cancer cells are selected from the group consisting of head and neck cancer cells, breast cancer cells, lung cancer cells, colon tumor cells, liver tumor cells, brain tumor cells, kidney tumor cells, skin tumor cells, ovarian tumor cells, and prostate tumor cells.

29. (Previously Presented) A method of inducing growth arrest of malignant or metastatic cancer cells, comprising contacting said cells with the bicistronic construct of claim 15, whereby growth arrest of said malignant or metastatic cells is induced.

Claim 30: Canceled.

31. (Previously Presented) The method of claim 29, wherein said bicistronic construct is in a vector, wherein said vector is selected from the group of vectors consisting of retroviral, adeno-associated viral, herpes simplex viral and cytomegaloviral vectors.

32. (Currently Amended) The method of claim 29, wherein said bicistronic construct is in a delivery vehicle, wherein said delivery vehicle is selected from the group consisting of ~~liposomes~~ a liposome, polylysine carrier ~~complexes~~ complex, and naked DNA.

33. (Previously Presented) The method of claim 29, wherein said bicistronic construct is in a pharmaceutical composition.

34. (Previously Presented) The method of claim 29, further comprising administering said bicistronic construct in combination with one or more modes of therapy selected from the group consisting of radiation therapy and chemotherapy.

35. (Currently Amended) The method of claim 29, wherein said ~~cancer cell is~~ cancer cells are selected from the group consisting of head and neck cancer cells, breast cancer cells, lung cancer cells, colon tumor cells, liver tumor cells, brain tumor cells, kidney or cells, skin tumor cells, ovarian tumor cells, and prostate tumor cells.